

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

OLIVER SHIH, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

v.

AMYLYX PHARMACEUTICALS, INC.,
JOSHUA B. COHEN, JUSTIN B. KLEE,
JAMES M. FRATES, and MARGARET
OLINGER,

Defendants.

Civil Action No. 1:24-CV-12068-NMG

ORAL ARGUMENT REQUESTED

**DEFENDANTS' MOTION TO DISMISS
THE AMENDED CLASS ACTION COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §§ 78u-4 and 78u-5, Defendants Amylyx Pharmaceuticals, Inc., Joshua B. Cohen, Justin B. Klee, James M. Frates, and Margaret Olinger (collectively “Defendants”) move to dismiss the Amended Class Action Complaint (the “Amended Complaint”) in its entirety and with prejudice. As grounds for this Motion, Defendants state as follows:

The Amended Complaint should be dismissed for the reasons stated in the Memorandum of Law in Support of Defendants’ Motion to Dismiss the Amended Class Action Complaint, and the Declaration of Morgan Mordecai in Support of Defendants’ Motion to Dismiss the Amended Complaint, along with the accompanying exhibits.

WHEREFORE, Defendants respectfully request that this Court issue an order dismissing the Amended Complaint in its entirety and with prejudice, and grant such other and further relief that the Court deems just and proper.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Defendants request oral argument on their Motion to Dismiss the Amended Class Action Complaint.

Dated: September 6, 2024

Respectfully submitted,

/s/ Caroline Bullerjahn

Caroline Bullerjahn (BBO No. 657241)

Morgan Mordecai (BBO No. 679390)

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Attorneys for Defendants

LOCAL RULE 7.1 CERTIFICATION AND CERTIFICATE OF SERVICE

I hereby certify that counsel for Defendants and counsel for Plaintiff have conferred in good faith about this motion and have not been able to resolve or narrow the issues raised in this motion.

I further certify that a copy of the foregoing Motion, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 6, 2024.

/s/ Caroline Bullerjahn

Caroline Bullerjahn